



National Park Service
U.S. Department of the Interior

2015 Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

Approved:

Vidal Davila

Date:

8/31/15

Vidal Davila, Superintendent

National Park Service
Wind Cave National Park

Wind Cave National Park
26611 US Highway 385
Hot Springs, SD 57747

605-745-4600 phone
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The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the Wind Cave National Park.

A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level. The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

**Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954**

The CFR is also available on the Internet at:
http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html

Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

**Superintendent
Wind Cave National Park
26611 US Highway 385
Hot Springs, SD 57747**

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this

- D. The consumption/use of food, tobacco products, beverages and gum
- E. Touching the cave surfaces
- F. Disposal of human waste (Urine/feces)

***Determination:** Human skin cells, skin oils, body waste food particles and/or liquids can permanently impair cave formations and may introduce unwanted bacteria to form in the cave damaging sensitive cave resources.*

- G. The use of walking aids/wheelchairs

***Determination:** Cave tour trails are extremely narrow, often have very low ceiling heights, and have uneven and slippery surfaces that prohibit the use of most walking aids or wheelchairs. (However the Park can accommodate most special need requests with modified or alternative tours)*

- H. Off trail travel

***Determination:** Cave tour routes are complex and potentially dangerous. In order to protect visitors from injury and/or getting lost; off trail travel while on a public cave tour is prohibited. Limiting cave travel to established tour routes also protects sensitive cave resources.*

- 2) Bus idling is prohibited in all areas except during the loading and unloading of passengers.

***Determination:** The idling of bus engines adds unnecessary exhaust fumes to the air, unnecessary noise, and diminishes the enjoyment for visitors.*

- 3) Remaining, approaching, photographing, filming, or video recording within 25 yards of bison or elk, (unless inside a legally positioned vehicle) is prohibited.

***Determination:** The NPS has documented numerous cases of both bison and elk encounters that have resulted in serious injuries when visitors approach elk or bison within 25 yards. In 2014 the restrictions were changed from 100 yards to 25 yards to be consistent with other parks in the area with bison such as Yellowstone NP, Grand Teton NP and Badlands NP.*

- 4) Firearms and Dangerous Weapons in Federal Facilities are prohibited.

Per 18 USC 930: The Cave and all park buildings that are open to the public at Wind Cave National Park (Except for the restrooms at the Prairie Vista Picnic Area and the Elk Mountain Campground) are CLOSED to the carrying of firearms and dangerous weapons regardless of permits. Each building shall be signed at or near the entrances to alert the public. Law enforcement officers on official duty are exempted.

- 5) Climbing, rappelling, bungee jumping, hang gliding, para-gliding and other similar activities are prohibited from all park bridges, and structures. The Superintendent may waive restrictions for maintenance or construction needs.

***Determination:** The structures listed above are critical to park functions and several are historic in nature or are important to the cultural landscape themes of the park and therefore have been deemed inappropriate for the recreational uses listed above.*

- 6) Quiet hours for the administrative areas of the park (Visitor Center, Maintenance, Upper/Lower Housing) is 11:00 p.m. to 6:00 a.m. The Superintendent may lift the restrictions during times of emergency operations or required maintenance.

***Determination:** Quiet hours have been established in these areas to help preserve peace/ tranquility for the park residents that reside or are required to reside in or near the park administrative areas.*

- 7) Flying kites and remote model airplanes is prohibited in the park.

preservation goals, nor is it a critical component to the enjoyment of the Park's resources. It is also anticipated that UAS use would have a generally negative impact on the experiences of other visitors.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

- Camping: Elk Mountain Campground and Backcountry Units 1-4 (See section 2.10)
- Picnicking: Visitor Center Picnic Area (See section 2.11)
- Fires: Elk Mountain Campground, Visitor Center Picnic Area, Housing Areas (See section 2.13)
- Pets: Elk Mountain Campground, Established roadways that are open to public motor vehicle traffic, Parking lots, and on the two front country nature trails; Elk Mountain and Prairie Vista. (See Section 2.15)

SECTION II: ACTIVITIES THAT REQUIRE A PERMIT

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

The superintendent may issue a permit for an otherwise prohibited or restricted activity or to impose a public use limit. For further information on obtaining a park Special Use Permit, or regarding application and use fees, contact the Special Park Uses coordinator at (605) 745-1151 or online at

<http://www.nps.gov/wica>

36 CFR 1.6 (f) The following is a compilation of those activities for which a permit from the superintendent is required:

- §1.5(d) The following activities related to Public Use Limits:
 - Entering a closed area
 - Entering any cave
- §2.4(d) Carry or possess a weapon, trap, or net
- §2.5(a) Specimen collection (take plant, fish, wildlife, rocks or minerals)
- §2.10(a) The following camping activities:
 - Camping at Elk Mountain Campground
 - Backcountry camping
 - Camping is prohibited without a permit from the Superintendent (36 CFR section 2.10)
- §2.12 Audio Disturbances:
 - (a)(2) Operating a chain saw in developed areas
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.17 Aircraft & Air Delivery:
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
 - (c)(1) Removal of a downed aircraft

(b) All persons on guided cave tours must stay on established trails or designated routes.

Determination: Cave tour routes are complex and potentially dangerous. In order to protect visitors from injury and/or getting lost; off trail travel while on a public cave tour is prohibited. Limiting cave travel to established tour routes also protects sensitive cave resources.

(c)(1), (c)(2) Gathering of fruits, berries, nuts, in small quantities (1 quart per person/per day) for non-commercial use is permitted. The collection of mushrooms and pinecones is prohibited. The following products may be collected:

- Chokecherry - *Prunus virginiana*
- Wild/American plum - *Prunus americana*

Determination: The above allowable quantities will not adversely affect park wildlife, the reproductive potential of the plant species, or otherwise adversely affect park resources.

Reminder:

All natural objects (antlers, plants, rocks, fossils, etc.) are protected. When in doubt ask a ranger a first.

36 CFR 2.2 - Wildlife Protection:

(d). Lawfully taken wildlife from outside the park may not be possessed while visiting or camping in the park, but may be transported by motor vehicle on established public highways through the park. The Superintendent has set the following conditions for transportation:

- Lawfully taken wildlife may be transported through the park directly without stopping
- Lawfully taken wildlife will be transported in accordance with all South Dakota fish and game regulations

Determination: 36 CFR 2.1 (a)(1)(i) prohibits the possession or storage of dead or living wildlife (or parts thereof) while visiting the park. However, 36 CFR 2.2 (d) provides the Superintendent with authority to allow, and set conditions for, the transportation of lawfully taken wildlife. In this case the Superintendent has approved the brief and direct transportation of wildlife as it will not overly affect park visitors or intrude on park values.

(d). The retrieval/transportation of wounded or dead wildlife from the park is prohibited.

Determination: WICA NP is completely enclosed by a large elk and bison fence system. Wounded wildlife that can navigate back over the fence into the park is deemed to be a viable animal. In addition, the continued tracking, shooting, game processing and transportation of wildlife is prohibited by the CFR and would cause conflicts with visitors, damage fences and natural resources, and is not in keeping with park values. The State of South Dakota regulations also recognize the right of land managers to deny access for the retrieval of dead or wounded wildlife.

(e) All areas within Wind Cave National Park are closed to the viewing of wildlife with artificial light, which includes the purposeful direction of headlights and flash photography. The use of artificial light for special events, research, interpretive programs, emergencies and maintenance functions may be permitted by the Superintendent or designee.

Determination: The use of artificial lights to view wildlife creates unnecessary man-caused stress upon the animals, causing them to change their behavior patterns. The light also can disturb park neighbors, pose a hazard to vehicular traffic and can be a precursor to poaching activities.

36 CFR 2.4 – Weapons, traps and nets

(d)(4) The superintendent may issue a permit for the carrying of archery equipment from parking areas along NPS Road 5 and Highway 87 for the purpose of accessing adjacent lands where access is otherwise impractical. Individuals carrying archery equipment under a permit may only travel directly between access points to adjacent lands and their vehicle (note: the restrictions on possession and transportation of wildlife under 36CFR 2.2 remain unchanged and so wildlife may only be transported via through the park in a motor vehicle and may not be otherwise carried into the park from adjacent lands).

- Backcountry camping is permitted in the northwest area of the park only. The designated area is north of Beaver Creek, east of route 87 and west of the Highland Creek Trail. (See Map A)
- All other backcountry areas in the park are closed to camping
- Campsites must be a ¼ mile from, and out of sight of, any paved or improved dirt road and all campsites must be 100 feet away from the trail, any water source or other camp.
- A site may only be occupied for two consecutive nights and an individual is limited to 7 nights per trip and no more than 30 total nights per year.
- Human waste must be buried in a shallow hole 100 feet or more from camps, trails and water sources. Food waste and trash must be packed out of the backcountry, burial of these items is prohibited.

Reason for Determination: The above regulations protect park resources, reduce human impacts, provide for visitor safety, provide for wildland fire protection, and provide for a quality camping experience. Permits provide critical data for park managers and track visitor use.

- (d) Conditions for the storage of food are in effect, as noted, for the following areas:
- Elk Mountain Campground
 - All Backcountry camping zones (See Map A)

Food Storage Requirements: All human and pet food must be stored in a closed hard-sided container or enclosed vehicle when not in use. Food scraps, cooking utensils, and garbage must be stored or disposed of in such a manner as to be inaccessible to wildlife.

Reason for Determination: Easy access to human food is a powerful attractant for Park wildlife and can create dangerous interactions between animals and visitors. Habituated animals lose their fear of humans and abandon their normal foraging skills, endangering both animals and visitors.

36 CFR 2.11 - Picnicking:

- Unless closed, picnicking is permitted throughout the surface area of Wind Cave National Park.

Determination: Areas closed to picnicking are designated to meet various Park management objectives. These objectives are usually short term and may be related to wildlife issues, fire protection, storm damage etc.

- Picnicking in Elk Mountain Campground is allowed only if there are open campsites.

Determination: Currently low visitor use and ample campsites allow the campground to be used for both picnicking and camping without visitor conflicts for space. In the event the campground is full visitors will be required to picnic elsewhere.

- Open fires and charcoal fires are prohibited unless they are in a designated fire grate. Fire grates are located in the Visitor Center picnic area and the Elk Mountain Campground.

Determination: The Park is located in the Southern Black Hills where fire danger remains high throughout much of the year. In order to protect visitors, natural resources, local communities and park infrastructure; fires must be contained in designated fire grates.

36 CFR 2.13 - Fires:

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

Designated Areas:

- Open fires are prohibited at all locations except for Elk Mountain Campground, Park Residential Areas, and the Visitor Center Picnic Area.

Receptacles Allowed:

impair cave formations and may introduce unwanted bacteria to form in the cave damaging sensitive cave resources. The narrow, slippery and uneven surfaces can cause dangerous conditions for pets and pet owners. The Park has large populations of bison, elk, antelope, deer, badgers, and coyotes and so in order to reduce dangerous wildlife conflicts and protect visitors, the backcountry areas and most Park trails are closed to pets. To accommodate pet owners the Elk Mountain and Prairie Vista trails are open to properly restrained pets. These two trails lie within the developed portion of the Visitor Center and Campground.

(a)(3) Leaving pets unattended or tied to any object while unattended within the Park is prohibited, including the exterior of motor vehicles parked or camped within Park boundaries. Pets may be left unattended within motor vehicles with proper ventilation and water, but only when the weather is not hazardous to the immediate welfare of the animal.

Determination: These requirements are intended to protect visitors, natural resources, park structures, and to ensure pets are properly cared for while in the park.

(a)(5) Pet excrement shall be removed by the pet owner/handler from all public use areas.

Determination: The Visitor Center, housing/maintenance areas, and the campground/picnic areas are highly developed cultural and natural resource areas where concentrations of people gather. This restriction is intended to reduce any possible conflict between users and to provide for a healthy safe environment.

(e) Park residents may keep pets in accordance with the Park pet policy.

Determination: The Superintendent has approved the keeping of pets in designated park housing to provide for permanent employees who are required to live in park housing.

Reminder:

2.15(a)(2) Pets must be restrained at all times and when using a leash, the leash may not exceed six feet.

36 CFR 2.16 - Horse and Pack Animals:

(a) The following animals are designated as pack animals:

- Horses, Burros, Mules, Alpacas, Llamas
- Other hooved animals when designated by the superintendent (36 CFR 1.4)

(b) Permitted uses:

- Wind Cave National Park is open to the off trail and off road use of horses and pack animals.
- All horse and pack animal use will be by permit only. A free backcountry use permit will be issued at Park Headquarters for day use only – no overnight stays are allowed.
- Group size limits and total number of stock and riders allowed in the Park will be limited as needed in order to ensure the opportunity for a quality experience and to minimize the possibility of harmful impact to the Park's natural and cultural resources. The Superintendent may utilize a permit and/or reservation system in the future as needed.

Determination: Horse and Pack animals can have a large impact on park natural resources and can conflict with other park users. Permits allow park managers to track visitor use, protect resources and reduce conflicts among different user groups.

(g) Prohibited Uses and Conditions:

- Horse and Pack animals are prohibited in the following areas: Elk Mountain Campground, all designated hiking and nature trails including the Centennial Trail, the Visitor Center and Administrative areas.
- Pack animals are prohibited on the paved portion of all roadways and parking areas, except while crossing.
- Hitching horses or other saddle or pack animals so as to damage, injure, deface or disturb natural or cultural resources is prohibited.

Campground Fees

\$18	Tent and RV sites per night	Approximately April to November
\$ 9	Tent and RV sites per night	Approximately November to April
\$40	Group Camping (30 max)	Call for details/reservations 605-745-4600

Cave Tours

Tour Route	Adults (17 & Older)	Youth (6-16)	Infant/Toddler
Garden of Eden:	\$10.00	\$5.00	Free
Natural Entrance:	\$12.00	\$6.00	Free
Fairgrounds:	\$12.00	\$6.00	Free
Candlelight:	\$12.00	\$6.00*	Not Permitted
Wild Cave:	\$30.00	Not Permitted**	Not Permitted

* The minimum age for the Candlelight Tour is age 8.

** The minimum age for the Wild Cave Tour is age 16 – the fee is \$40.00

- Campground and Cave Tour fees are half price for Senior or Access card holders

Determination: The authority to establish fees or require permits under this section is provided in 36 CFR 71.2. The collection of recreational fees may be suspended during the following periods:

- National Public Lands Day
- Other dates that may be authorized by the Secretary of Interior or Director of the
- National Park Service
- As authorized by the Superintendent through a Special Use Permit

36 CFR 2.35 – Alcoholic Beverages and Controlled Substances:

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal has been broken or the contents of which have been partially removed:

- All public park buildings
- All NPS administrative work areas

Determination: Park buildings are places of business, to reduce conflict among visitors, the consumption or possession of an open container of alcohol is deemed inappropriate.

36 CFR 2.38 - Explosives:

The possession of and/or use of fireworks, firecrackers, black powder or explosives in the Park is prohibited.

Determination: Fireworks or the use of any explosive creates a public hazard that poses a danger to the public and greatly increases the risk of wildland fires. Fireworks disturb wildlife and the visiting public; and are deemed an inappropriate use at WICA NP. Any use of explosives or fireworks requires a permit issued by the superintendent.

36 CFR 2.51 - Public Assemblies, Meetings:

Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views for groups of 25 or more participants require a permit and are limited to the designated public demonstration areas. Maps for these areas are located at the end of this document. (Map B)

Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views involving groups of less than 25 participants does not require a permit, but advanced notification to the Park Superintendent is encouraged. The location of these activities is limited to the designated public demonstration areas. Maps for these areas are located at the end of this document. (Map B)

The speed limits specified here are adopted for use in the Park:

1. Highway 385 – 45 miles per hour
2. Highway 87 – 35 miles per hour (*)
3. NPS 5 and NPS 6 – 25 miles per hour (*)
4. Visitor Center Access Road – 30 miles per hour (*)
5. Visitor Center lot, Elk Mountain Campground, Maintenance/Fire Cache Road – 15 miles per hour
6. Elk Mountain Campground Access Road – 25 miles per hour (*)

(*) In accordance with the authority granted in 36 CFR 4.21(b) the superintendant has designated different speed limits in areas with deceleration zones, congested motor vehicle and pedestrian traffic, in areas where children may be present, and where road surface, character, or design do not allow for a faster, safer speed. The current speed limits do not represent a change from past posted limits and are consistent with the State of South Dakota.

Determination: The Superintendent has set speed limits that provide for public safety on the Park's road system and are consistent with surrounding State roads.

36 CFR 4.30 - Bicycles:

(a) The operation of bicycles is permitted:

- On all paved roadways and parking areas that are open to public motor vehicle use.
- On gravel roads that are open to public motor vehicle use

Bicycles are prohibited on:

- Off road, trails, walkways, all gravel and paved roads that are closed to public motor vehicle use.
- Bicycles are required to follow the same laws and regulations that apply to the safe operation of motor vehicles as required in both 36 CFR 4.30 (c) and South Dakota State law.

Determination: The use of bicycles on natural resources and areas not specifically designated for bicycle use promotes erosion and destruction of that resource. The regulation also reduces user conflicts and provides for visitor safety.

36 CFR Part 7 Regulations: None at this time

36 CFR Part 10 Regulations:

10.1 - Animals available. From time to time there are surplus live elk, buffaloes and bears in Yellowstone National Park, and live buffaloes in Wind Cave National Park which the Secretary may, in his discretion, dispose of to Federal, State, county and municipal authorities for preserves, zoos, zoological gardens, and parks. When surplus live elk and buffaloes are available from these national parks, the Secretary may, in his discretion, dispose of these to individuals and private institutions.

Determination: Allows the park to effectively manage bison and elk populations and protect natural resources.

SECTION IV: APPENDICES:

36 CFR § 1.4 DEFINITIONS – WHAT TERMS DO I NEED TO KNOW?

(a) The following definitions shall apply to this chapter, unless modified by the definitions for a specific part or regulation:

Fish means any member of the subclasses Agnatha, Chondrichthyes, or Osteichthyes, or any mollusk or crustacean found in salt water.

Fishing means taking or attempting to take fish.

Hunting means taking or attempting to take wildlife, except trapping.

Legislative jurisdiction means lands and waters under the exclusive or concurrent jurisdiction of the United States.

Manual wheelchair means a device that is propelled by human power, designed for and used by a mobility-impaired person.

Motorcycle means every motor vehicle having a seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Motorized wheelchair means a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion, that is both capable of and suitable for use in indoor pedestrian areas.

Motor vehicle means every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or upon water, except a snowmobile and a motorized wheelchair.

National Park System (Park area) means any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.

Net means a seine, weir, net wire, fish trap, or other implement designed to entrap fish, except a hand-held landing net used to retrieve fish taken by hook and line.

Nondeveloped area means all lands and waters within park areas other than developed areas.

Operator means a person who operates, drives, controls, otherwise has charge of or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

Other Federal reservations in the environs of the District of Columbia means Federal areas, which are not under the administrative jurisdiction of the National Park Service, located in Arlington, Fairfax, Loudoun, Prince William, and Stafford Counties and the City of Alexandria in Virginia and Prince Georges, Charles, Anne Arundel, and Montgomery Counties in Maryland, exclusive of military reservations, unless the policing of military reservations by the U.S. Park Police is specifically requested by the Secretary of Defense or a designee thereof.

Pack animal means horses, burros, mules or other hoofed mammals when designated as pack animals by the superintendent.

Park area. See the definition for National Park System in this section.

Park road means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the National Park Service.

Permit means a written authorization to engage in uses or activities that are otherwise prohibited, restricted, or regulated.

Person means an individual, firm, corporation, society, association, partnership, or private or public body.

Personal watercraft refers to a vessel, usually less than 16 feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. The vessel is intended to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. The length is measured from end to end over the deck excluding sheer, meaning a straight line measurement of

Underway means when a vessel is not at anchor, moored, made fast to the shore or docking facility, or aground.

Unloaded, as applied to weapons and firearms, means that: (1) There is no unexpended shell, cartridge, or projectile in any chamber or cylinder of a firearm or in a clip or magazine inserted in or attached to a firearm; (2) A muzzle-loading weapon does not contain gun powder in the pan, or the percussion cap is not in place; and (3) Bows, crossbows, spear guns or any implement capable of discharging a missile or similar device by means of a loading or discharging mechanism, when that loading or discharging mechanism is not charged or drawn.

Vehicle means every device in, upon, or by which a person or property is or may be transported or drawn on land, except snowmobiles and devices moved by human power or used exclusively upon stationary rails or track.

Vessel means every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation.

Weapon means a firearm, compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles, and includes a weapon the possession of which is prohibited under the laws of the State in which the park area or portion thereof is located.

Wildlife means any member of the animal kingdom and includes a part, product, egg or offspring thereof, or the dead body or part thereof, except fish.

(b) In addition to the definitions in paragraph (a), for the purpose of the regulations contained in parts 3 and 7 of this chapter, the definitions pertaining to navigation, navigable waters and shipping enumerated in title 14 United States Code, title 33 Code of Federal Regulations, title 46 Code of Federal Regulations, title 49 Code of Federal Regulations, the Federal Boating Safety Act of 1971, and the Inland Navigational Rules Act of 1980, shall apply for boating and water activities.



Map B - First Amendment Activity Areas

All other areas are closed - Please contact the park for specific directions

